

**MINUTES
REDEVELOPMENT AGENCY AND CITY COUNCIL
REGULAR MEETING
OCTOBER 13, 2009 - 6:00 p.m.**

CALL TO ORDER

The regular meeting of the City Council and Redevelopment Agency of the City of Highland was called to order at 6:08 p.m. by Mayor Lilburn at the Donahue Council Chambers, 27215 Base Line, Highland, California.

The invocation was given by Reverend Todd Barnett of Immanuel Baptist Church and the Pledge of Allegiance was led by Councilman Timmer.

ROLL CALL

Present: Jones, Scott, Timmer, Mayor Lilburn
Absent: McCallon

SPECIAL PRESENTATIONS

Mayor Lilburn presented Al Newman with a Proclamation.

Fire Chief Stock presented a helmet to Al Newman as an Honorary Fireman.

COMMUNITY INPUT

Mr. Wei-Ming Lin stated he has an issue with the deck on his property. He purchased his first home and was not aware the deck was installed without a permit. Within one week of moving into his new home, he received a citation from the city for the deck. He is willing to get a permit but he does not have the funds to tear down his deck as the new fire code states he will have to abide by the new code. The deck was built four years ago before the new code was established.

Mr. Hector Zu stated the deck is very well constructed but does have a couple of structural issues that could be taken care of for a small amount of money. The issue is to have the deck in compliance with the fire codes that were adopted on July 2008. Mr. Zu stated Mr. Lin became aware of the deck not being permitted at the last minute prior to signing papers.

Community Development Director Jaquess stated the appropriate steps would be to file an appeal to the Building Code Appeals Board.

CITY COUNCIL/REDEVELOPMENT AGENCY CONSENT CALENDAR

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilman Timmer, to approve the consent calendar as submitted with the exception of Item #7 being pulled for further discussion. Motion carried on a roll call vote, 4-0, with Councilman McCallon absent and with Councilman Timmer abstaining from Item #2 and Item #3.

1. Waive the Reading of All Ordinances
Waived the reading of all Ordinances in their entirety and read by title only.
2. Minutes – September 22, 2009 City Council Regular Meeting
Approved Minutes as submitted.
3. Minutes – September 22, 2009 RDA Regular Meeting
Approved Minutes as submitted.
4. Warrant Register
Approved Warrant Register No. 491 for October 13, 2009, in the amount of \$953,051.55 and Payroll of \$75,615.71.
5. Treasurer's Report for August
Received and filed Treasurer's Reports for August 2009.
6. Year End Budget Adjustments for Fiscal Year 2008/2009
Approved budget adjustments for fiscal year 2008/2009.

ITEMS PULLED FROM THE CONSENT CALENDAR

7. No Parking on the West Side of Aplin Street at Cram Elementary School Driveway

City Manager Hughes stated it was brought to staff's attention that the correct No Parking Zone should be on the east side of Aplin Street.

A MOTION was made by Councilman Timmer, seconded by Mayor Pro Tem Jones, to adopt Resolution No. 2009-036 establishing a No Parking Zone on a portion of the east side of Aplin Street north of Water Street. Motion carried, 4-0, with Councilman McCallon being absent.

RESOLUTION NO. 2009-036
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF HIGHLAND, CALIFORNIA, ESTABLISHING A
NO PARKING ZONE ON A PORTION OF APLIN STREET
NORTH OF WATER STREET
AND RESCINDING RESOLUTION NO. 2008-049

CITY COUNCIL/REDEVELOPMENT AGENCY PUBLIC HEARING

8. An Appeal (Appeal 009-006) Submitted by Regency Centers of the Planning Commission's Denial of an Amendment to Conditional Use Permit 007-009 to Add a Freeway-oriented Community Business Sign to the Previously Approved Entitlement for the "Highland Crossroads" Commercial Project – At the Request of the Applicant, this Item was Continued from the City Council's September 8, 2009, and September 22, 2009, Meetings

Mayor Lilburn opened the public hearing.

Mayor Lilburn called for any speakers in favor or in opposition of this item. Hearing none, she closed the public hearing.

City Manager Hughes stated we have received a request to withdraw this item from the agenda. The developer has been made aware of the implications of a withdrawal request in which he would have to start the process all over again and the developer acknowledged this information.

CITY COUNCIL/REDEVELOPMENT AGENCY LEGISLATIVE

9. Measure I Transportation Programs

City Engineer Wong gave a brief review of the staff report.

Councilwoman Scott asked where are we on Plan B and the aggregate getting the access to the ramps widened?

City Engineer Wong stated Plan B has obtained city approval and entitlement from the city to increase mining activities. The conditions of approval for this project requires the miners to design the street improvements. They will need to finish the design in two years. However, the construction of the improvements will not be required for another three years.

Councilwoman Scott stated in addition to the major projects, an additional \$300,000 would be included for city-wide projects.

City Engineer Wong stated the local Measure I street program provides each year about \$650,000 to the City of Highland and this is pass thru funds where we can use the funds for all eligible projects. The Council has a strategy where we will use half of the funds on city-wide rehabilitation projects and the other half on other street improvements.

A MOTION was made by Councilman Timmer, seconded by Councilwoman Scott, to approve Resolution No. 2009-037 adopting the Six-Year Capital Improvement Program (2009/2010-2014/2015) and Capital Improvement Plan Expenditure Strategy for the Measure I Local Street Program; and Resolution No. 2009-038 adopting the Five-Year Capital Project Needs Analysis (2010/2011-2014/2015) for the Measure I Major Street Program and Freeway Interchange Program. Motion carried, 4-0, with Councilman McCallon being absent.

RESOLUTION NO. 2009-037
A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF HIGHLAND, CALIFORNIA,
ADOPTING THE SIX YEAR CAPITAL IMPROVEMENT PROGRAM
AND EXPENDITURE STRATEGY
FOR MEASURE I LOCAL PASS-THROUGH FUNDS
(2009/2010 - 2014/2015)

RESOLUTION NO. 2009-038
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF HIGHLAND, STATE OF CALIFORNIA
ADOPTING THE FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS
FOR MEASURE I VALLEY MAJOR STREET
AND FREEWAY INTERCHANGE PROGRAMS (2010/2011 – 2014/15)

10. Ordinance No. 345 Requiring the Registration and Maintenance of Abandoned and Foreclosed Properties

Community Development Director Jaquess gave a brief review of the staff report.

A MOTION was made by Councilwoman Scott, seconded by Mayor Pro Tem Jones, to approve the second reading and adopt Ordinance No. 345. Motion carried, 4-0, with Councilman McCallon being absent.

City Clerk Hughes introduced Ordinance No. 345:

ORDINANCE NO. 345
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, ADOPTING REGULATIONS PERTAINING TO THE
MAINTENANCE AND SECURITY OF VACANT AND ABANDONED
RESIDENTIAL, COMMERCIAL AND INDUSTRIAL PROPERTIES, AND
AMENDING TITLE 8 OF THE HIGHLAND MUNICIPAL CODE

which title was read.

11. Ordinance No. 346 Amending Chapter 2.36 "Fees and Service Charges" of the Highland Municipal Code to Provide Additional Categories of Fees and Charges

Community Development Director Jaquess gave a brief review of the staff report.

A MOTION was made by Mayor Pro Tem Jones, seconded by Councilwoman Scott, to approve the second reading and adopt Ordinance No. 346. Motion carried, 4-0, with Councilman McCallon being absent.

City Clerk Hughes introduced Ordinance No. 346:

ORDINANCE NO. 346
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HIGHLAND,
CALIFORNIA, AMENDING CHAPTER 2.36 ("FEES AND SERVICE CHARGES")
OF THE HIGHLAND MUNICIPAL CODE TO PROVIDE ADDITIONAL
CATEGORIES OF FEES AND CHARGES

which title was read.

12. Update on SANBAG, SCAG, Omnitrans, Work Program and Regional/Legislative Issues/Development Issues/Subcommittees/AB 1234 Updates

Mayor Lilburn stated Omnitrans has a Governance Committee who is looking to dissolve the JPA and turn it into a Transit Committee. She will keep the Council posted as information is available.

City Manager Hughes stated he is the Chairman of the City/County Conference this year. An issue has been presented in light of the fiscal status of some of the cities and the county to whether or not the City/County Conference should be a two day event or make it a one day event. He has been asked to poll the cities for their opinions and is now asking Council for their opinions.

Mayor Pro Tem Jones stated one of the more effective times is the breakfast with the Supervisors where you can address specific issues.

Councilwoman Scott stated if she were to go she would favor a one day event.

Council's majority opinion is to continue the conference over the two day period.

13. San Bernardino International Airport Authority and IVDA

None

ANNOUNCEMENTS

Mayor Lilburn stated she would like to thank staff for the wonderful Volunteer Dinner.

CLOSED SESSION

At 6:45 p.m., the City Council and Redevelopment Agency convened into closed session regarding the following:

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8 regarding the following property:

Property: APN 1192-451-11

Negotiating parties: FNMA, Owner
Joseph Hughes, City of Highland

Under negotiation: Instruction to City's negotiator concerning price and terms of payment.

At 7:05 p.m., the City Council and Redevelopment Agency convened into open session, with all members present with the exception of Councilman McCallon being absent, making no announcements. There was no reportable action taken during the closed session.

ADJOURN

There being no further business, Mayor Lilburn adjourned the meeting at 7:07 p.m. in memory of Karen Gaffney's Mother and Wendy Brown.

Submitted by:

Approved by:

Betty Hughes, CMC
City Clerk

Penny Lilburn
Mayor